

Response  
Serial No. 10/604,891  
Attorney Docket No. 031032

## **REMARKS**

### **Objection to Specification**

The title was objected since the title of the invention is not descriptive. The title has been amended and the new title is clearly indicative of the invention to which the claims are directed.

### **Rejections under 35 USC §102(e)**

**Claims 1-5 were rejected under 35 USC §102(e) as being anticipated by Pradeep et al. (U.S. Patent No. 6,468,877).**

Applicant respectfully traverses the 35 USC §102(e) rejection.

Claim 1 has been amended to recite “wherein said gate insulation film and a lower end of said gate electrode have a same width as each other.”

In Pradeep et al., the portion of liner oxide layer 26 and a portion of etched gate dielectric layer 17' form a cross-section inverted T-shaped opening 34 adjacent gate electrode and patterned hard mask layer 24. Thus, the width of the gate insulation film is made narrower than that of the lower end of the gate electrode.

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Thus, Pradeep et al. does not teach or suggest, among other things, “wherein said gate insulation film and a lower end of said gate electrode have a same width as each other.”

For at least these reasons, claim 1 patentably distinguishes over Pradeep et al. Claims 2-5, directly or indirectly depending from claim 1, also patentably distinguish over Pradeep et al for at least the same reasons.

Thus, the 35 USC §102(e) rejection should be withdrawn.

#### **Rejections under 35 USC §103(a)**

**Claims 6-8 were rejected under 35 USC §103(a) as being obvious over Pradeep et al. (U.S. Patent No. 6,468,877) as applied to claims 1-5 above, and further in view of Gilton (U.S. Patent No. 6,143,611) .**

Gilton has been cited for allegedly disclosing “oxidizing (removing) the gate edge corners in order to increase the thickness of the gate oxide layer at least at the edges of the gate.” Such disclosure, however, does not remedy the deficiencies of Pradeep et al. discussed above.

For at least these reasons, claims 6-8, directly or indirectly depending from claim 1, also patentably distinguish over Pradeep et al. and Gilton.

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In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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